

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

Civil Action No. 5:05CV202
(STAMP)

ROBERT N. PEIRCE, JR.,
LOUIS A. RAIMOND and
RAY A. HARRON, M.D.,

Defendants.

U.S. DISTRICT COURT
FILED AT WHEELING, WV
DEC 20 2012
NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

V E R D I C T

Unless otherwise instructed herein, at the conclusion of your deliberations under the standards set forth in the Court's instructions to you, please answer each question below. After you have completed the form, please have your jury foreperson sign and date the form on the lines provided below.

I. Plaintiff CSX Transportation, Inc.'s Claims

A. Racketeer Influenced and Corrupt Organizations Act Claims

1. Is defendant Robert N. Peirce, Jr. liable to Plaintiff CSX Transportation, Inc. ("CSX") for violating Section 1962(c) of the Racketeer Influenced and Corrupt Organizations Act ("RICO") by conducting or participating in the conduct of an enterprise's affairs through a pattern of racketeering activity? (check one)

Yes ☒ No ☐

2. Is defendant Louis A. Raimond liable to CSX for violating Section 1962(c) of RICO by conducting or participating in the conduct of an enterprise's affairs through a pattern of racketeering activity? (check one)

Yes ☒ No ☐

If you checked "no" to Question 1 and Question 2, then proceed to Question 7. If you checked "yes" to either Question 1 or Question 2, proceed to Question 3.

3. Is defendant Robert N. Peirce, Jr. liable to CSX for violating Section 1962(d) of RICO by conspiring to conduct the affairs of an enterprise through a pattern of racketeering activity? (check one)

Yes ☒ No ☐

4. Is defendant Louis A. Raimond liable to CSX for violating Section 1962(d) of RICO by conspiring to conduct the affairs of an enterprise through a pattern of racketeering activity? (check one)

Yes ☒ No ☐

5. Is defendant Dr. Ray Harron liable to CSX for violating Section 1962(d) of RICO by conspiring to conduct the affairs of an enterprise through a pattern of racketeering activity? (check one)

Yes ☒ No ☐

6. If you answered "Yes" to any or all of Questions 1 through 5, please write in the total amount of damages necessary to compensate CSX for the defendant's or defendants' violations of RICO:

\$ 429,240. ⁴⁷/_{xx}

B. West Virginia Law Claims

7. Is defendant Robert N. Peirce, Jr. liable to CSX for fraud? (check one)

Yes ☒ No ☐

8. Is defendant Louis A. Raimond liable to CSX for fraud? (check one)

Yes ☒ No ☐

If you checked "no" to Question 7 and Question 8, proceed to Question 13. If you checked "yes" to either Question 7 or Question 8, proceed to Question 9.

9. Is defendant Robert N. Peirce, Jr. liable to CSX for conspiracy to commit fraud? (check one)

Yes ☒ No ☐

10. Is defendant Louis A. Raimond liable to CSX for conspiracy to commit fraud? (check one)

Yes ☒ No ☐

11. Is defendant Doctor Ray Harron liable to CSX for conspiracy to commit fraud? (check one)

Yes ☒ No ☐

12. If you answered "Yes" to any one or all of Questions 7 through 11, please write in the total amount of damages necessary and sufficient to compensate CSX for the injuries that it incurred as a result of the defendant's or defendants' fraudulent conduct:

\$ 0.00

II. Defendants' Counterclaims

A. Fraud Counterclaims

13. Is CSX liable to Robert N. Peirce, Jr. and Louis A. Raimond for fraud based on representations made in the amended complaint? (check one)

Yes ☐ No ☒

14. Is CSX liable to Robert N. Peirce, Jr. and Louis A. Raimond for fraud based on representations made in its discovery responses? (check one)

Yes ☐ No ☒

15. If you answered "Yes" to either Question 13 and/or 14, please write in the total amount of damages necessary and sufficient to compensate Peirce and Raimond for the injuries they incurred as a result of CSX's fraudulent conduct:

\$ 0.00

12.20.12
Date

(Signature)
Foreperson's Signature